

# **Collaborative knowledge support for law-drafting projects**

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It is often said, that librarians are very good at networking – but mainly among themselves. What is needed more is networking with other professionals and integration with the mother organisation. Inter-organizational cooperation is also needed. The Finnish project of Knowledge support for law-drafting projects is an example of integrating the work of information services with core processes of the government. It is also an example of collaboration between the Government and Parliament, and collaboration between information professionals and law-drafting personnel.

## **Background of the Collaborative knowledge support for law-drafting projects**

The Finnish parliament has for many years criticized the quality of law-drafting. The parliament has had to make such corrections to the proposals, which should have already been made in the law-drafting phase. Sometimes it is also a problem that the government proposals come to parliament at the same time and the reading piles up. – There are several projects to improve the quality of law-drafting. The most important is the programme “Better law-drafting”, administrated by the Ministry of Justice (see <http://www.om.fi/Etusivu/Parempisaantely>). The information services are currently involved in this programme, however, the idea of knowledge support is older.

As early as 2002 to 2004 the Ministry of Internal Affairs and the Library of Parliament experimented with a pilot project where they tested knowledge support on one large law-drafting project. The information specialist of the Library of Parliament participated in the law-drafting project from the very beginning until the end, by searching and providing the information that was needed in the project. The entire Library of Parliament was functioning as a back-office for the work. It was essential, that the information specialists of the Library of Parliament had an excellent knowledge of a wide variety of languages and of legal information sources at their disposal. The civil servants who were drafting the law were satisfied with the project. Assessments showed that the intense collaboration between the law-drafters and information service personnel was a very important factor in the good results of the project.

The results were so encouraging, that government’s information services network, Valtipa-network, launched a project in 2005 to support the law drafting process in other ministries as well.

## **Completion of the project**

The project started with a series of group interviews. The information services of each ministry contacted four to six central persons who were involved in law-drafting – both junior and more experienced ones, as well as those who were leading the law-drafting and those who were actually practicing it. The idea was to create contacts between law-drafting personnel and information services, by bringing them around the same table.

Two members of the project group interviewed the participants according to the interview scheme, the protocols drawn up, and, afterwards, sent to the participants. The participants were informed that the

protocol of each discussion would be only sent to the participants. In this way it was assured that the participants could speak freely and also address conceivably delicate issues.

Almost all of the ministries organised the interviews, and the responses were very positive. The results and proposals of the project were published in 2006 (in Finnish).

After the interviews, the project together with the Library of Parliament organised training on the legislative information sources, on a national, Nordic and international level. The training was aimed at the information services of the ministries and the Library of Parliament. The aim was to strengthen the know-how of information professionals in the ministries and to develop contacts between them and parliament.

## **The model of the knowledge support system**

During 2006 a network group of information professionals dealing with knowledge support for law-drafters started its work. The network group consists of ministry information specialists and *representatives/a representative* of the Library of Parliament.

The operations model for the knowledge support system was created:

- The contact points for the law-drafting projects are the information services of the ministries and the information specialist of the ministry is ready to participate in the law-drafting project. A questionnaire is taken to clarify the information, the needs of the law-drafting project, and also to follow up what has been done in information searching.
- The main rule is that the information services of the ministries are responsible for searching the national and Nordic material, and the Library of Parliament the international material.

## **Connection with the Government Programme**

The knowledge support has been taken as part of the programme for better law-making, which is a part of the Government Programme and administrated by the Ministry of Justice. The aim was to experiment the knowledge support system in some of the 22 central law-drafting projects mentioned in the law-drafting plan in the Government Programme.

Parliament, the Government and each ministry are all very interested in improving the quality of law-drafting. So you can say that the information services are amongst the core of activities of the government.

## **Assessment of the system**

The knowledge support system will be assessed in the autumn 2008 by the Valtipa-network (the network of information services of ministries, Parliament and the National Archive). Next I will discuss some experiences that have been encountered during the experiment.

How have the information services themselves reacted to the system – have they been eager and proud? Yes and no. Let me explain:

First of all, the model has been proudly presented on various occasions to the law-drafters and several articles in journals on the matter have been written.

Most ministries are also involved in the network group. The network group has supported its individual members, the knowledge, information and know-how have been shared, and the atmosphere has

been positive and constructive. The information services have also offered their help to the law-drafting projects.

However, there is a certain hesitation among the information specialist in the ministries, concerning whether they have enough resources to serve the law-drafting projects. By resources I mean both quantitative and qualitative resources: for example, do the information specialists have enough time to serve the law-drafting projects and do they have enough know-how to do so.

There is a certain hesitation to be detected among the law-drafters as well. The law-drafters do not necessarily know how the information services can help them. Perhaps they are too shy to ask for the services, or maybe there is also a lack of trust. Perhaps they are, even, too embarrassed to reveal their own working methods, which may not be up to date. We only can make guesses as to why the collaboration has not yet started as actively as the knowledge support project planners have wished.

## Challenges

What is the problem? One of the main challenges is the right timing: what is the right moment to offer the services for the law-drafting projects? It is important to offer the services at the starting phase of the project. When the project is already in progress, the preliminary work has already been completed. The challenge for the information services is to be alert to the departments' plans. The information services have to have good contacts with the law-drafting personnel because the starting phase of the law-drafting projects may differ from project to project. It is important that the law-drafting personnel are aware of the services of the libraries, not only in principle but in practice: the normal process of law-drafting work would be that the law-drafter asks for help from the libraries, in order to save his or her time over the substance of the law-drafting, not in the information searching.

I assume, that the information specialists are too apprehensive to offer their services. This is a new way of working: to actively offer the services, to depart from the library to the substance department, to contact the law-drafters and to explain what the library can do for them. This is a shift from **reactivity to pro-activity**. This means that we have to step out of our comfort zone: to do something that we have not done before, it is something that frightens many, and something that we are not quite confident with as to whether it will be a success or a failure. We cannot achieve anything remarkable if we stay in our safe comfort area! It is often said that if you want to achieve new and better results you need to start acting in a new way. At the same time most people are more comfortable with old problems than with searching for new solutions!

## Collaborative way of working

The system of knowledge support to law-drafting actually means a shift towards **collaborative way of working**, even though it is not acknowledged: the knowledge support project does not use this term. Serving the customer well inevitably presumes collaboration between the customer and the information specialist. The customer is our partner.

In education there is a tradition of collaborative learning, and I think that it can also be adapted to information searching. In a way, information searching is, or at least requires learning. There are several descriptions of collaborative work or collaborative learning. Let me take only a few features, which I believe are important in information searching work.

**Firstly**, in collaborative work the participants are positively dependent on each other: the knowledge and the efforts of everyone are needed, none of the participants can achieve good results without the other's input.

On the one hand, the law-drafter probably does not know the information sources as well as the information specialist. On the other hand, information service personnel cannot know the substance of the law-drafting project as well as the law-drafter. Nobody expects it from the information specialist. However, interest in getting acquainted with the substance of law-drafting project is necessary. The information searching for the law-drafting projects is challenging: you have to understand the substance to some extent. Positive attitude to learning is necessary.

In any case, a collaborative way of working is easier than to try to do everything alone. Collaboration is needed between the information specialist and the law-drafter, but also between the information specialists in different organizations, for example, in the ministry and the Library of Parliament. Often the information specialists of the ministries try to manage on their own and do not contact the Library of Parliament, for instance. The information specialists could be easier on themselves, by admitting that he/she does not know and ask for help. This takes us to the second point:

**(Secondly,)** diverse and open interaction between the participants is required. The participants explain their points of view, listen to each other and comment on them. Listening also means having the skills to ask specific questions, to summarise and to further develop the ideas.

Should interaction skills be better among the information specialists? A prerequisite for the interaction is the willingness to interact. Emphasise personal service instead of brochures! Someone must take the first step and, I suggest that, it is the information specialist who should be the person to contact the law-drafter. When the first step has been taken, it is easier to ask whether the law-drafter needs help in acquiring information and then move on to the question, what kind of information is needed.

The collaboration in information searching is a new way of working not only for the information specialists but also for the law-drafting personnel. The law-drafting personnel do not necessarily know what they can ask from the information services and what the information specialists can do. Hence, open communication is needed.

Should the skills needed in customer service be improved? Does the education of librarians emphasize more communication with computers than communication with people? In the private sector there are training courses in customer service – should we exploit them also? Do we also have something to learn from the working methods of journalists? Their main information source are interviewees – even too much! I do not suggest that the librarians should adopt all the working methods of journalists, but maybe there is something to learn. However, the courses are not of use if they do not lead up to changes in the ways of working.

**The third** feature in collaborative work or learning is individual responsibility. In collaboration everyone has to participate! Each participant is responsible for their own learning, as well as other's, in order for the work to be done. Everybody is responsible for the final results of the project. Clarifying questions may be needed if something is not yet fully understood. More information may be required, or a term may need to be more fully defined, and it is the responsibility of every participant to ask these clarifying questions.

The **fourth** point is the assessment of the collaboration. The task should also include the assessment of the work. The law-drafting projects can be prolonged for several months or even years. Feedback is therefore necessary in order to improve the results of information searching. Maybe the skills in giving and receiving feedback also need to be improved. Assessment of the work processes develops social behaviour and the social competence of the participants.

**Lastly**, recognizing and developing collaborative skills. Achieving good results requires diverse social skills and flexible attitudes. Collaborative working requires that the participants know and trust each other. The communication between the participants has to be open and honest. Each participant should respect the opinions of others and support each other. Problem solving should take place in a constructive and positive atmosphere. Also giving and receiving feedback is easier, if the work has been done in a friendly atmosphere.

Like any new skill or behaviour that has to be learned, the collaborative work requires practice and conscious attention. Should we knowingly decide that the knowledge support system is collaborative work and organize training in collaborative learning? It would be important, for both the information specialists and the law-drafters to participate in this kind of training, but I leave this question open. It is said, that the groups most in need of collaborative skills are often those most resistant to them. Groups functioning most effectively are the those that recognize the need for regular collaboration training; those in trouble are very often the ones that are too busy to examine how they work together or how they are failing to do so.

## **Shortage of resources or shortage of courage?**

As mentioned earlier, the information specialists complain that they do not have enough time to participate in the knowledge support experiment.

I assume that the fear to contact the customer and the fear towards the new way of working are hidden in the discourse when criticizing the shortage of resources. Of course there is a lack of resources, as there always is, but what do the information services do if they cannot serve the core function of the ministry? I think that in this case the main problem is not the lack of resources but the lack of courage.

I find it important that the information services make a clear decision to participate and plan how to find the right resources, for example, by using the resources of the Library of Parliament. Often it takes more time to explain why you cannot do something than it takes to do it.

There is a long tradition of complaining about the shortage of resources, yet the libraries and information professionals have not learned how to seek for more resources. As the coordinator of the Government's information services network (Valtipa), I yearly ask for plans of action for the network. I have received plans for tasks and projects, but none of these contain an estimation of needed resources. It is impossible to receive extra resources if you do not ask them. In our case the Library of Parliament has offered their resources for the ministries.

## **Inter-organizational collaboration is needed**

One reason for this could be that the inter-organizational collaboration is more difficult than collaboration inside your own unit. However, the information services of the ministries cannot expect to receive more staff, on the contrary. Inter-organizational collaboration is the only choice.

Inter-organizational collaboration is challenging. In our case it is essential in at least two ways: firstly, between the information service of the ministry and The Library of Parliament, and secondly between the information service and the unit drafting the laws.

## **Lessons to be learned**

- Do not cry – be prepared!
- Step out of your comfort zone!
- Study the strategy of the organisation and integrate with the core processes!